



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Carl STEINER

Application No.: 10/825,419

Filed: April 16, 2004

For: IMAGING OPTICAL DEVICE, IN PARTICULAR...

Art Unit: 2872

Examiner: T. Q. Nguyen

Washington, D.C.

Atty.'s Docket: STEINER4

Date: August 23, 2006

Confirmation No. 9938

THE COMMISSIONER OF PATENTS
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

Transmitted herewith is a [XX] RESPONSE TO NON-COMPLIANCE AMENDMENT UNDER 37 C.F.R. §1.121 in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[XX] No additional fee is required.

[] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 8	MINUS	** 20	0
INDEP.	* 2	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY		
RATE	ADDITIONAL FEE	
x 25	\$	
x 100	\$	
+ 180	\$	
ADDITIONAL FEE TOTAL		\$

OTHER THAN SMALL ENTITY		
RATE	ADDITIONAL FEE	
x 50	\$	
x 200	\$	
+ 360	\$	
TOTAL		\$

OR

OR

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 60.00
[] Second - \$ 225.00
[] Third - \$ 510.00
[] Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 120.00
[] Second - \$ 450.00
[] Third - \$ 1020.00
[] Fourth - \$ 1590.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$.

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

[] A check in the amount of \$ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

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By: 
Ronni S. Jillions
Registration No. 31,979



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: STEINER4

In re Application of:)	Confirmation No.: 9938
Carl STEINER)	
)	Art Unit: 2872
)	
Appln. No.: 10/825,419)	Examiner: T. Q. Nguyen
)	
Filed: April 16, 2004)	Washington, D.C.
)	
For: IMAGING OPTICAL DEVICE,)	August 23, 2006
IN PARTICULAR...)	

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
UNDER 37 C.F.R. §1.121**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop Amendments
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Notice of Non-Compliance
Amendment under 37 C.F.R. §1.121 mailed August 16, 2006,
attached please find the corrected claim set showing changes
made to the claims. The changes to the specification and the
remarks of the main reply filed May 30, 2006, are respectfully
repeated by reference.

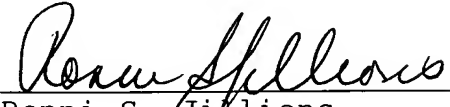
Favorable reconsideration and allowance are
earnestly solicited.

Appln. No. 10/825,419
Amd. dated August 23, 2006
Reply to Office Action of August 16, 2006



Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

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